

Exhibit I

AdminaStar Federal (Cheryl Eiler) - Vol. II
Indianapolis, IN

August 27, 2008

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UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

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IN RE: PHARMACEUTICAL) MDL NO. 1456
INDUSTRY AVERAGE WHOLESALE) CIVIL ACTION:
PRICE LITIGATION) 01-CV-12257-PBS

-----X Judge Patti B. Saris

U.S. ex re. Ven-A-Care of)
the Florida Keys, Inc., v.)
Abbott Laboratories, Inc.,)
et al. No. 06-CV-11337-PBS)

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VIDEOTAPED DEPOSITION OF ADMINASTAR FEDERAL

by CHERYL EILER - VOLUME II

The continuation of the videotaped deposition of
ADMINASTAR FEDERAL by CHERYL EILER, produced and
sworn before me, Aprille Lucas, RPR, Notary Public
in and for the County of Hamilton, State of Indiana,
taken on behalf of the Defendant Dey at the offices
of National Government Services, 8115 Knue Road,
Indianapolis, Indiana, August 27, 2008, at 9:06 a.m.,
pursuant to the Federal Rules of Civil Procedure.

Henderson Legal Services, Inc.

202-220-4158

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28 (Pages 293 to 296)

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| <p style="text-align: right;">293</p> <p>1 A. That's when we started getting the CD 2 rom program quarterly for the RedBook. We still 3 received the monthly and the annual, but we used 4 the online, because it was more updated than the 5 books. 6 Q. So you indicate that, by database, 7 you're referring to the CD roms? 8 A. The CD rom program, yes. 9 Q. If you recall, we discussed yesterday 10 that Palmetto had a RedBook database. Is that 11 something different than the database that you're 12 referring to here? 13 A. I don't know how they referred to 14 theirs. That's just the way I referred to it. 15 Q. So you referred to the CD roms -- 16 A. As the database. 17 Q. -- as the database. Do you recall if 18 you kept printouts or electronic copies of the 19 quarterly RedBook CDs as you received them? 20 A. No. The only thing I would keep copy 21 of is if there was a change, then I would take a 22 print of the screen to indicate the change,</p> | <p style="text-align: right;">295</p> <p>1 Q. So you would load the CD into a program 2 that RedBook gave you, is that right? 3 A. Yes. 4 Q. And that CD, when you loaded it, would 5 delete the data provided by the previous CD, is 6 that right? 7 A. Correct. 8 Q. And there was no way to keep a record 9 of what the previous data was? 10 A. Other than doing a hard copy print. 11 Q. Now, if you flip to the next page, 12 which is AWP033-0436 -- actually, let's go back 13 one more to the previous page one last time, 14 sorry, I forgot. 15 It indicates here on this array that 16 this time you did consider the price for the 17 first Dey drug, which is the 2.5-milliliter 30S 18 quantity. Do you see that? 19 A. Yes. 20 Q. Do you have any sense as to why this 21 was now considered, instead of excluded from the 22 array?</p> |
| <p style="text-align: right;">294</p> <p>1 because there was too many pages for you to print 2 out the entire database. 3 So the only time I changed it, I kept a 4 copy, is if I was printing them out, printing out 5 the code. Sometimes I would go ahead and print 6 the copy, but if it wasn't a change, then I 7 sometimes didn't. 8 Q. Now, was it your practice that in every 9 case where there was a change to the prices that 10 were listed in RedBook, that you would print, 11 from the CD, the prices that RedBook published 12 for that drug? 13 A. Yes. 14 Q. Now, it's my understanding that these 15 CDs cease to be usable after a certain period of 16 time, is that correct? 17 A. They're not valid -- when you put a new 18 CD in the next quarter, then you cannot go back 19 and access the previous. 20 Q. So -- 21 A. So that's why you needed to make copies 22 so you had it.</p> | <p style="text-align: right;">296</p> <p>1 A. Not without looking at the sheet that I 2 would have used with it. 3 Q. And what would that sheet have said? 4 A. It would have given me the product 5 information as far as maybe it no longer stated 6 it was a preservative-free. I don't know. 7 Q. And the sheet you're referring to is 8 the printout from the RedBook CD? 9 A. Yes. 10 Q. Now, it indicates here for Compumed, 11 which is the fourth price on the array, it looks 12 like there was an AWP price listed, but then 13 there was no unit calculation, and then it was 14 not considered in the array -- 15 A. Because -- 16 Q. Okay, I'm sorry, let me finish. You're 17 getting ahead of me. And then it has two number 18 signs in the status column. Do you have a sense 19 here today why that price was not considered in 20 this particular array? 21 A. Because the source was deleted, 22 evidently, from the RedBook.</p> |

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